

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHEVRON CORPORATION,
Plaintiff,
v.
STEVEN DONZIGER *et al.*,
Defendants.

11-CV-0691

The Honorable Lewis A. Kaplan, U.S.D.J.
The Honorable James C. Francis, U.S.M.J.

September 26, 2013

VIA ECF

Honorable Lewis A. Kaplan
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007-1312

RE: *Chevron v. Donziger*, Case No. 11 Civ. 691 (LAK)

Dear Judge Kaplan:

Defendants Hugo Gerardo Camacho, Javier Piaguaje Payaguaje, Steven Donziger, Donziger & Associates, PLLC, and the Law Offices of Steven R. Donziger, hereby request a brief extension of time with respect to the following pretrial deadlines:

- (1) Response to Chevron's motion for partial summary judgment on certain affirmative defenses (DI 1349), currently due Sunday, September 29, 2013.

Defendants acknowledge that the Court significantly narrowed Chevron's (fourth) motion for summary judgment and extended Defendants' time for answering with respect to affirmative defenses. DI 1362. However, Defendants have also been faced, in the interim, with significant and numerous deadlines which they have struggled in good faith to meet despite a severe situation of lacking resources. *See, e.g.*, DIs 1431, 1432. Furthermore, the affirmative defenses at issue are deeply intertwined with the core of the defense case, and Defendants' development of the same has had to follow the

attempted orderly development of that case despite the numerous distractions Defendants have faced in pretrial matters. Significant progress has been made such that Defendants will be able to file their opposition on Weds., Oct. 2, and respectfully request an extension of the deadline until that time.

(2) Deposition designations currently due Sunday, September 29, 2013.

Again, Defendants' acknowledge and appreciate the Court's existing scheduling on this issue. However, in light of the multiple overlapping deadlines and other litigation burdens as referenced above, Defendants are still attempting to build out their defense case in an orderly process, which has realized progress but not allowed Defendants to finalize deposition designations and counter-designations at this time or on an anticipated basis by Sunday. Defendants respectfully request an extension to file designations to Fri, Oct. 4.

In light of the abundance of resources on the plaintiff side of this case, and Plaintiff's demonstrated capacity and fluency with the witnesses, documents, and other aspects of this case at all levels, Defendants submit that there is no serious contingent possibility of prejudice to the Plaintiff by these moderate requests for additional time.

Dated: September 26, 2013
New York, New York

Respectfully submitted,

s/ Julio C. Gomez
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